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May 24, 2018

TO: George Bell, Chairman
Lake County Zoning Board of Appeals

FROM: Thomas Chefalo, Principal Planner
Lake County Department of Planning, Building, and Development

CASE NO: #VAR-000365-2018

HEARING DATE: June 14, 2018

REQUESTED ACTIONS:

- 1.) Reduce the street yard setback from 27 feet to 10.3 feet to build a carport.
- 2.) Reduce the south side yard setback from 4 feet to 2 feet to build a carport.
- 3.) Reduce the street yard setback from 27 feet to 14.7 feet to alleviate the nonconforming status of the existing single-family home.
- 4.) Reduce the north side yard setback from 5 feet to 0.5 feet to alleviate the nonconforming status of the existing single-family home. The building wall shall be no closer than 2 feet.

GENERAL INFORMATION

OWNERS: David Tollstam

OF PARCELS: 1

SIZE: 0.15 acres, per Lake County GIS information

LOCATION: 27615 N Beech St., Island Lake, IL 60042-8403 PIN: 09-28-103-007

EXISTING ZONING: R-1

EXISTING LAND USE: Single family home

PROPOSED LAND USE: Single family home

SURROUNDING ZONING / LAND USE

EAST:	R-1 / Single-Family Residential
NORTH:	R-1 / Single-Family Residential
SOUTH:	R-1 / Single-Family Residential
WEST:	R-1 / Single-Family Residential

DETAILS OF REQUEST

ACCESS:	Direct access is provided from Beech Street.
CONFORMING LOT:	The subject property is nonconforming to lot width and area in the R-1 zoning district.
FLOODPLAIN / WETLAND:	There are no regulatory floodplains or mapped wetlands on the property.
SEPTIC AND WATER:	The subject property is served by private septic and private well.

ADDITIONAL STAFF COMMENTS

- The single-family house was constructed in 1930, before the County adopted its first zoning ordinance. The subject parcel currently lacks a garage; the property owner's vehicles are parked outside on the driveway. The applicant is proposing to build a carport on a portion of an existing paved driveway.
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STAFF COMMENTS

Mark Mussachio – Environmental Health

- The Health Department has no objection to the requested variances.

Eric Steffen – Engineering & Environmental Services Division

- The Engineering Division has no objection to variance request.

Robert Springer – Building Division

- The Building Division has no objection to the granting of this request.

RECOMMENDATION ON VARIANCES

Principal Structure: Staff recommends approval for the variance requests for the principal structure. In Staff's opinion, the variance requests comply with the standards for variances in the following manner:

Zoning Variance Approval Criteria – LCC Subsection 151.056 (C)(4)

1. Exceptional conditions peculiar to the applicant's property:

Comment – The house sits within the required street yard setback and side yard setback. It was constructed before the County adopted a zoning ordinance.

2. Practical difficulties or particular hardship in carrying out the strict letter of the regulation:

Comment – The house is setback 0.5 feet from the north lot and 7.4 feet from south property line. The lot is constrained in the rear by the septic system. If the house were destroyed beyond 50% of replacement cost, it would be impossible to reconstruct a similar house on the lot that would meet current setbacks.

3. Harmony with the general purpose and intent of the zoning regulations:

Comment – Granting the variance would allow the applicant to maintain his property and restore the house if it were to be damaged beyond 50% of replacement cost. The location of the house is generally consistent with other houses in the neighborhood.

Carport: Staff recommends approval for the variance requests for the carport. In Staff's opinion, the variance requests comply with the standards for variances in the following manner:

Zoning Variance Approval Criteria – LCC Subsection 151.056 (C)(4)

1. Exceptional conditions peculiar to the applicant's property:

Comment – The house sits within the required street yard setback and side yard setback and lacks room for a conforming garage. The house was constructed before the County adopted a zoning ordinance.

2. Practical difficulties or particular hardship in carrying out the strict letter of the regulation:

Comment – The applicant desires to build a carport on his lot; however, he is constrained from building the structure within the required setbacks because of the nonconforming location of his house. Further, it is not possible for a vehicle to access the rear of his lot given the location of the house and the presence of the house's septic system in the backyard.

The applicant proposes to build a 21 X12 foot carport on his existing driveway. The carport must be located 4 feet from the principal structure and because 21 feet is a practical length to safely enclose a vehicle, it is reasonable for the applicant to request 10.3 feet street yard setback. Currently the owner's vehicles are parked outside in the elements.

The applicant is also requesting that the 12-foot-wide carport be build 2 feet from the side yard setback. He is requesting the reduction in setback because he would like to park a second car north of the carport on the remaining a 9-foot-wide portion of his driveway. Locating the carport at the required setback would reduce the remaining paved area to 7 feet which would be impractical for parking purposes (the standard width for a parking space is 9 feet).

Locating the carport on the north side of the driveway would require that the carport be located an additional 2 feet into the street yard setback to meet separation requirements from the principal structure. Locating the carport on the north portion of the driveway would also obstruct the applicant's view of the street and front yard of his property from the interior of his house. In addition, it obstructs a view of the house from the road.

3. Harmony with the general purpose and intent of the zoning regulations:

Comment – Parking for 2 cars and garages\carports are customary accessory uses to a single-family house. The proposed location of the carport is in character with other similar structures in the neighborhood and would have a nominal impact on adjacent property owners.